

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

ATTORNEYS AT LAW

1100 NEW YORK AVENUE, N.W., SUITE 500

WASHINGTON, D.C. 20005-3934

(202) 371-2600

FACSIMILE (202) 371-2540, (202) 371-6566

ROBERT GREENE STERNE
EDWARD J. KESSLER
JORGE A. GOLDSTEIN
SAMUEL L. FOX
DAVID K.S. CORNWELL
ROBERT W. ESMOND
TRACY-GENE G. DURKIN
MICHELE A. CIMBALA
MICHAEL B. RAY

ROBERT E. SOKOHL
ERIC K. STEFFE
MICHAEL D. LEE
JOHN M. COVERT*
LINDA E. ALCORN
RAZ E. FLESHNER
ROBERT C. MILLONIG
STEVEN R. LUDWIG
MICHAEL V. MESSINGER

JUDITH U. KIM
TIMOTHY J. SHEA, JR.
DONALD R. MCPHAIL
PATRICK E. GARRETT
BARBARA A. PARVIS
STEPHEN G. WHITESIDE*
NCEL B. WHITLEY*
JEFFREY T. HELVEY*
RICHARD A. DUNNING, JR.

KIMBERLIN L. MORLEY
RALPH P. ALBRECHT
HEIDI L. KRAUS*
JEFFREY R. KURIN*
CARL B. MASSEY, JR.*
PATRICK D. O'BRIEN*
BRIAN S. ROSENBLUM*
LAWRENCE B. BUGAISKY
CRYSTAL D. SAYLES*
EDWARD W. YEE*

DONALD J. FEATHERSTONE**
KAREN R. MARKOWICZ**
GRANT E. REED**
VICTOR E. JOHNSON**
SERGE SIRA**
SZANNE E. ZISKA**
BRIAN J. DEL BUONO**
CAMERON H. TOUSI**
VINCENT L. CAPUANO**
DONALD R. BANOWITZ**
DAVID P. MAIVALD**

*BAR OTHER THAN D.C.

**REGISTERED PATENT AGENTS

January 11, 1999

WRITER'S DIRECT NUMBER:

(202) 371-2627

Assistant Commissioner for Patents
Washington, D.C. 20231

Box Missing Parts

Re: U.S. Patent Application
Appl. No. 09/126,945; Filed: July 31, 1998
For: **Prostate Derived Ets Factor**
Inventors: LIBERMANN *et al.*
Our Ref: 1488.1090000/EKS/KLM

Sir:

In reply to the "Notice to File Missing Parts of Application--Filing Date Granted," dated September 10, 1998, Applicants submit the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. Fee Transmittal (PTO/SB/17) (*in duplicate*);
2. Petition for Extension of Time under 37 C.F.R. § 1.136 (*in duplicate*);
3. Copy of the Notice to File Missing Parts;
4. Original Declaration, executed by the inventors: Towia Aron LIBERMANN and Joerg Peter OETTGEN;
5. Original Declaration, executed by the inventor: Charles A. KUNSCHE;
6. Original Declaration, executed by the inventor: Gregory A. ENDRESS;
7. Original Declaration, executed by the inventor: Craig A. ROSEN;

Assistant Commissioner for Patents
January 11, 1999
Page 2

8. Two original executed Powers of Attorney from Assignee Human Genome Sciences, Inc. and Beth Israel Deaconess Medical Center;
10. Two Assignee 37 C.F.R. § 3.73(b) Statements with copy of Assignment attached;
11. Return postcard; and
12. Our Check No. 23458 for \$1,710.00 to cover:


\$790.00	Filing Fee for Patent Application (37 C.F.R. § 1.16)
\$150.00	Fee for excess claims (37 C.F.R. § 1.16)
\$260.00	Multiple Dependent claims (37 C.F.R. § 1.16)
\$130.00	Surcharge for late filing of Declaration (37 C.F.R. § 1.16)
\$380.00	For extension of time fees under 37 C.F.R. § 1.136.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.


Kimberlin L. Morley
Attorney for Applicants
Registration No. 35,391

JAN 1 1999

PTO/SB/17 (2/98)

Approved for use through 09/30/2000. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL

Patent fees are subject to annual revision on October 1
These are the fees effective October 1, 1997
Small Entity payments must be supported by a small entity statement,
otherwise large entity fees must be paid. See Forms PTO/SB/09-12
See 37 C.F.R. §§ 1.27 and 1.28

Complete if Known

Application Number	09/126,945
Filing Date	July 31, 1998
First Named Inventor	LIBERMANN et al.
Examiner Name	To be assigned
Group / Art Unit	1633
Attorney Docket Number	1488.1090000

TOTAL AMOUNT OF PAYMENT (\$)**1,710.00****METHOD OF PAYMENT (check one)**

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

Deposit Account Number	19-0036
Deposit Account Name	Sterne, Kessler, Goldstein & Fox P.L.L.C.

- ☐ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 ☐ Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance

2. ☒ Payment Enclosed ☒ Check No. 23458

☐ Money Order ☒ Other*

*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036

FEE CALCULATION**1. BASIC FILING FEE**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	760	201	380	Utility filing fee	790.00
106	310	206	155	Design filing fee	
107	480	207	240	Plant filing fee	
108	760	208	380	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$)**790.00****2. EXTRA CLAIM FEES**

Total Claims	Extra	Fee from below	Fee Paid
24	- 20** = 4	X 18.00	= 72.00
Indep. Claims 4	- 3** = 1	X 78.00	= 78.00
Multiple Dependent Claims		260.00	= 260.00

** or number previously paid, if greater. For Reissues, see below

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	78	202	39	Independent claims in excess of 3
104	260	204	130	Multiple dependant claim
108	78	209	39	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)**410.00****FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	130.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	380	216	190	Extension for reply within second month	380.00
117	870	217	435	Extension for reply within third month	
118	1,360	218	680	Extension for reply within fourth month	
128	1,850	228	925	Extension for reply within fifth month	
119	300	219	150	Notice of Appeal	
120	300	220	150	Filing a brief in support of an appeal	
121	260	221	130	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,210	241	605	Petition to revive - unintentional	
142	1,210	242	605	Utility issue fee (or reissue)	
143	430	243	215	Design issue fee	
144	580	244	290	Plant issue fee	

122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	760	246	380	Filing a submission after final rejection (37 CFR 1.129(a))	
149	760	249	380	For each additional invention to be examined (37 CFR 1.129(b))	

Other fee (specify):

Other fee (specify):

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**510.00****SUBMITTED BY****Complete (if applicable)**

Typed or Printed Name

Libermann L. Warkley

Reg. Number

35,391

Signature

Libermann L. Warkley

Date

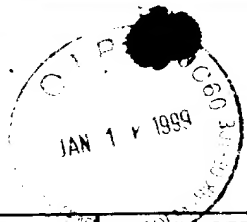
Jan 11, 1999

Deposit Acct. User ID

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231

SCL-6 Rev. 12-08-98 msc

fee trn



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
--------------------	---------------------	-----------------------	---------------------------

DATE MAILED:

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 2068.00.

- ☒ 1. The statutory basic filing fee is:
- ☒ missing.
 - ☐ insufficient.
- Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- ☒ 2. Additional claim fees of \$ 148, including any multiple dependent claim fees, are required.
- \$ 80 for 1 independent claims over 3.
 - \$ 68 for 3 dependent claims over 20.
 - \$ _____ for multiple dependent claim surcharge.
- Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.
- ☒ 3. The oath or declaration:
- ☒ is missing or unexecuted.
 - ☐ does not cover the newly submitted items.
 - ☐ does not identify the application to which it applies.
 - ☐ does not include the city and state or foreign country of applicant's residence.
- An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.
- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.
- A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without funds (37 CFR 1.21(m)).
- ☐ 7. Your filing receipt was mailed in error because your check was returned without funds.
- ☐ 8. The application does not comply with the Sequence Rules.
- See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."
- ☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

01/13/1999 190036
01 FC105
02 FC101
03 FC103
04 FC102
05 FC104